

Panaji, 22nd February, 2005 (Phalguna 3, 1926)

SERIES I No. 47

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY

#### GOVERNMENT OF GOA

Department of Law and Judiciary

Legal Affairs Division

#### Notification

7/5/2005-LA

The Goa Sales Tax (Amendment) Act, 2005 (Goa Act 6 of 2005), which has been passed by the Legislative Assembly of Goa on 13-1-2005 and assented to by the Governor of Goa on 17-2-2005, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 22nd February, 2005.

#### The Goa Sales Tax (Amendment) Act, 2005

(Goa Act 6 of 2005)

[17-2-2005]

AN

ACT

further to amend the Goa Sales Tax Act, 1964 (Act 4 of 1964).

BE it enacted by the Legislative Assembly of Goa in the Fifty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Sales Tax (Amendment) Act, 2005.

(2) It shall come into force at once.

2. *Amendment of section 17B.*— In section 17B of the Goa Sales Tax Act, 1964 (Act 4 of 1964) (hereinafter referred to as the "principal Act"), for the figures and words "15% per annum", the figures and words "12% per annum" shall be substituted.

3. *Amendment of section 19A.*— In section 19A of the principal Act, in sub-section (1), for the figures and words "12% per annum", the figures and words "6% per annum" shall be substituted.

Secretariat Annexe,  
Panaji-Goa.

Dated: 22-2-2005.

V. P. SHETYE,  
Secretary to the Government  
of Goa,  
Law, Judiciary and Legislative  
Affairs Department.

#### Notification

7/8/2005-LA

The Goa Reconstruction of Registers and Records Act, 2005 (Goa Act 5 of 2005), which has been passed by the Legislative Assembly of Goa on 14-1-2005 and assented to by the Governor of Goa on 17-2-2005, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 22nd February, 2005.

## The Goa Reconstruction of Registers and Records Act, 2005

(Goa Act 5 of 2005)

[17-2-2005]

AN

ACT

*to lay down the procedure for reconstruction of  
spoilt registers and records kept and maintained  
under certain statutes.*

BE it enacted by the Legislative Assembly of  
Goa in the Fifty-fifth Year of the Republic of India  
as follows:—

1. *Short title and commencement.*— (1) This  
Act may be called the Goa Reconstruction of  
Registers and Records Bill, 2005.

(2) It shall come into force at once.

2. *Definitions.*— In this Act, unless the context  
otherwise requires,—

(a) "Chief Registrar" means an officer  
authorized by the Government to exercise the  
powers and performs the duties of the Chief  
Registrar under this Act;

(b) "Government" means the Government of  
Goa;

(c) "guardian" means a person having the  
care of a minor or of his property, or of both his  
person and property;

(d) "minor" means a person who, under the  
provisions of the India Majority Act, 1875  
(Central Act 9 of 1975), is to be deemed not to  
have attained his majority;

(e) "Official Gazette" means the Goa  
Government Gazette;

(f) "prescribed" means prescribed by rules  
made under this Act;

(g) "Registrar" means an officer authorized  
by the Government to exercise the powers and  
perform the duties of the Registrar under this  
Act;

(h) "register" means:—

(i) the birth or death register required to  
be kept and maintained under the Civil  
Registration Code or the Registration of Births  
and Deaths Act, 1969 (Act 18 of 1969), as the  
case may be; or

(ii) the register of marriages or the register  
of firms, required to be kept and maintained  
under the relevant laws for the time being in  
force relating to registration of marriages or  
firms, as the case may be, or any other register  
or document kept and maintained under the  
Registration Act, 1908 (Act 16 of 1908);

(i) "spoilt register" includes any register,  
document, part register, entry or part of an entry  
therein which is found, for whatever reasons, to  
be damaged, destroyed, obliterated, rendered  
illegible or totally lost so that authentic copies  
therefrom cannot be issued for evidentiary  
purposes;

3. *Reconstruction of spoilt registers and records  
relating to births and deaths.*— (1) Any person  
who, having applied to the authorities competent  
to grant copies from the birth or death registers  
has failed to obtain the same by reason of such  
birth or death register, as the case may be, having  
become a spoilt register, may apply to the Registrar  
in the prescribed form, for reconstruction of such  
spoilt register:

Provided that if such a person is a minor, the  
application shall be made by his guardian.

(2) On receipt of an application under sub-  
section (1), the Registrar shall conduct an enquiry  
in the manner prescribed and submit a report  
thereof to the Chief Registrar alongwith his  
recommendation within the prescribed period.

(3) If the Chief Registrar, on consideration of  
the report submitted by the Registrar under sub-  
section (2), is satisfied that the relevant spoilt  
register has to be re-constructed, then he shall,  
within the prescribed period, direct the Registrar  
to re-construct the whole or any part of the spoilt  
register in the manner prescribed and the spoilt  
register shall accordingly be reconstructed and the  
copy referred to in sub-section (1) shall be granted  
to the applicant within the prescribed period.

(4) The fees payable for reconstruction of a spoilt  
register under this section shall be as prescribed  
and shall be paid in the prescribed manner.

4. *Reconstruction of spoilt registers and records relating to marriages, firms or any other register or document under the Registration Act, 1908.*— The procedure for reconstruction of spoilt registers and records relating to births and deaths as specified in section 3, shall, mutatis mutandis, be applicable for the reconstruction of spoilt registers and records relating to marriages, firms or any other register or document under the Registration Act, 1908 (Act 16 of 1908):

Provided that an application for reconstruction under this section shall be made to the Sub-Registrar of the respective jurisdiction appointed under the Registration Act, 1908 (16 of 1908) who shall submit his report to the District Registrar, appointed under the said Registration Act, 1908 (16 of 1908).

5. *Power to make rules.*— The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

6. *Validity.*— The registers and or records reconstructed under the provision of this Act shall have the same validity for all purposes as the original registers and or records kept and maintained under the relevant statutes.

7. *Repeal and saving.*— (1) On and from the date of commencement of this Act, Articles 78 to 88 of the *Codigo do Registo Civil do Estado da India* approved by Decree dated 9-11-1912 shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Articles shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or taken.

Secretariat Annexe,  
Panaji-Goa.

Dated: 22-2-2005.

V. P. SHETYE,  
Secretary to the Government  
of Goa,  
Law, Judiciary and Legislative  
Affairs Department.